IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

Af/ ꟼ?

In re Patent Application of

JACKSON et al.

Serial No. 10/628,555

Filed: July 29, 2003

Atty Dkt. JSP-723-1413

`-C#   'M#

Confirmation No. 4744

TC/A.U.: 3687

Examiner: Frenel, Vanel

Date: March 23, 2009

[STAMP: MAR 23 2009]

Title: SYSTEM AND METHOD FOR DYNAMIC ALLOCATION OF PRODUCTS TO RETAILERS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

☐ **Correspondence Address Indication Form Attached.**

☒ **NOTICE OF APPEAL**
Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner twice/finally rejecting applicant's claim(s). $540.00 (1401)/$0.00 (2401) $

☐ An appeal **BRIEF** is attached in the pending appeal of the above-identified application $540.00 (1402)/$0.00 (2402) $

☐ Credit for fees paid in prior appeal without decision on merits   -$ (   )

☒ A reply brief is attached.   **(no fee)**

☐ Pre-Appeal Brief Request for Review form attached.

☐ Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s)
        One Month Extension $130.00 (1251)/$0.00 (2251)
        Two Month Extensions $490.00 (1252)/$0.00 (2252)
        Three Month Extensions $1110.00 (1253/$0.00 (2253)
        Four Month Extensions $1730.00 (1254/$0.00 (2254) $

☐ "Small entity" statement attached.

Less   month extension previously paid on   -$(   )
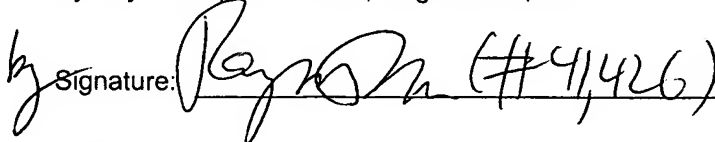
TOTAL FEE ENCLOSED $ 0.00

☐ **CREDIT CARD PAYMENT FORM ATTACHED.**

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any <u>deficiency</u>, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140.**

901 North Glebe Road, 11th Floor
Arlington, Virginia 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
JSP/JR:lmj

NIXON & VANDERHYE P.C.
By Atty: Joseph S. Presta, Reg. No. 35,329

Signature: (#41426)

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